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OFFICE OF PETITIONS

MS PETITION  
PATENT  
3493-0109P

~~DAC~~  
#11

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: MAGNET, Serge Conf.: 9636  
Appl. No.: 09/782,562 Group: 1713  
Filed: February 13, 2001 Examiner: HU, HENRY S.  
For: UV RESISTANT RESIN FOR PARAFFINIC  
SOLVENT BASED PAINT

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)

MS PETITION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

April 29, 2004

Sir:

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extension of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

Note: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee -- required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

04/30/2004 SDIRETA1 00000069 09782562

01 FC:1453

1330.00 OP

1. Petition fee

- ☐ Small entity - fee \$665.00 (37 C.F.R. § 1.17(m)).  
Applicant claims small entity status. See 37 C.F.R.  
§ 1.27.
- ☒ Other than small entity - fee \$1,330.00 (37 C.F.R.  
§ 1.17(m))

2. Reply and/or fee

- A. The reply and/or fee to the above-noted Office action  
in the form of Issue Fee Transmittal (identify type of  
reply):
- ☒ has been filed previously on November 10, 2003.  
☐ is enclosed herewith.
- B. The issue fee and publication fee totaling \$1630.00
- ☒ have been paid previously on November 10, 2003.  
☐ is enclosed herewith.

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or  
after June 8, 1995, no terminal disclaimer is  
required.
- ☐ A terminal disclaimer (and disclaimer fee (37 C.F.R.  
§ 1.20(d)) of \$55.00 for a small entity or \$110.00 for  
other than a small entity) disclaiming the required  
period of time is enclosed herewith.

4. Statement: The entire delay in filing the required reply  
from the due date for the required reply until the filing  
of a grantable petition under 37 C.F.R. § 1.137(b) was  
unintentional.

5. Please apply the Issue Fee paid on November 10, 2003 to this application.


- ☐ No fee is required.
- ☒ Check(s) in the amount of \$1,330.00 is/are enclosed.
- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. This form is submitted in triplicate.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
Raymond C. Stewart, #21,066

  
RCS/GMD: bmp  
3493-0109P

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

Attachments: ☒ Fee Payment  
☐ Reply  
☐ Terminal Disclaimer Form  
☐ Additional sheets containing statements establishing unintentional delay  
☒ Other: Issue Fee Transmittal;  
postcard receipt of payment of Issue Fee

## PART B - FEE(S) TRANSMITTAL



Complete and send this form, together with applicable fee(s), to: **Mail** Box ISSUE FEE  
 Commissioner for Patents  
 Alexandria, Virginia 22313-1450  
**Fax** (703)746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Please Legibly make-up with any corrections of the Block 1)

7590

05/01/2003

The Goodyear Tire & Rubber Company  
 Patent & Trademark Department - D/823  
 1144 East Market Street  
 Akron, OH 44316-0001

MAY 04 2004

OFFICE OF PETITIONS

Birch, Stewart, Kolasch & Birch, LLP  
 PO Box 747  
 Falls Church, VA 22040-0747

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

## Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Box Issue Fee address above, or being facsimile transmitted to the USPTO, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/782,562	02/13/2001	Serge Magnet	DN2001030	9636

TITLE OF INVENTION: UV RESISTANT RESIN FOR PARAFFINIC SOLVENT BASED PAINT

3493-1091

APPLICATION TYPE	MAINTENANCE	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1300	\$300	\$1600	08/01/2003

EXAMINER	ART UNIT	CLASS-SUBCLASS
HU, HENRY S	1713	524-081000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of address (or Change of Correspondence Address form PTO/SB-477 attached).
- ☒ "Fee Address" indication (or "Fee Address" Indication form PTO/SB-477, Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

BIRCH, STEWART,  
 KOLASCH & BIRCH, LLP

## 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) ☒ individual ☐ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

☒ Issue Fee

☒ Publication Fee

☒ Advance Order - # of Copies 4

4b. Payment of Fee(s):

☒ A check in the amount of the fee(s) is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Commissioner is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 02-2448 (enclose an extra copy of this form). (if necessary)

Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature)

Raymond C. Stewart, #21,066 11-10-03

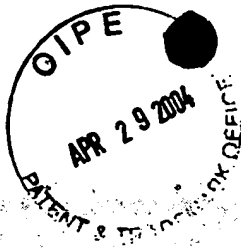
NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant, a registered attorney or agent, or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

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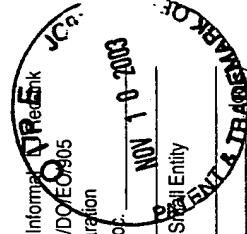
TRANSMIT THIS FORM WITH FEE(S)



Papers Filed herewith on: November 10, 2003  
DOCKET NO.: 3493-109P ATTY: RS/16MD  
APPLICANT(S): Serge Magnet  
APPLN. NO: 09188562 FILED: 2-13-01  
PAT NO.: \_\_\_\_\_

DOCKET NO. 3493-0109P

- ☐ New Application with Transmittal Letter  
☐ Utility ☐ Design ☐ CIP ☐ PCT ☐ Provisional  
☐ Filing Under 37 CFR 1.53(b) ☐ CONT ☐ DIV  
☐ Filing Under 37 CFR 1.114(RCE)  
☐ Specification Consisting of: \_\_\_\_\_ pages  
☐ Combined Declaration & Power of Attorney  
☐ Assignment / Cover Letter  
☐ Letter to Official Draftsman  
☐ Drawings \_\_\_\_\_ Sheets ☐ Formal ☐ Informal ☐ PTE  
☐ Completion of Filing Requirements, PCT/DOCS05  
or Formalities Letter and Executed Declaration  
☐ Priority Document(s) / Cover Letter, No. Doc: \_\_\_\_\_  
☐ Amendment: \_\_\_\_\_  
☐ Transmittal Ltr ☐ Large Entity ☐ Small Entity  
☐ Response  
☐ Information Disc. Stmt. PTO-1449(s)  
☐ PTO / ISA / 210  
☐ Notice of Appeal  
☐ Issue Fee, Transmittal  
FEES: \$1752.00 clerk 9009243  
☐ Letter: \_\_\_\_\_  
☐ Other: Petition to Withdraw  
The Holding of Appeal



Receipt is hereby acknowledged by the papers filed as  
indicated in connection with the above identified case.  
COMMISSIONER OF PATENTS AND TRADEMARKS  
Due Date: 11-10-03  
Handcarry: \_\_\_\_\_

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